



**REGULAR MEETING OF THE CITY COUNCIL AND THE COUNCIL SITTING
AS THE REDEVELOPMENT AGENCY BOARD**

**REGULAR CC/RDA MEETING
Council Chamber in City Hall
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

**MONDAY, NOVEMBER 22nd, 2004
6:30 P.M.**

The Regular meeting of the City Council, also sitting as the Redevelopment Agency, was called to order by Mayor/Chairman George Stettler in the Council Chambers at 68-700 Avenida Lalo Guerrero, Cathedral City, California, on Monday November 22, 2004 at 4:02 p.m.

ROLL CALL:

Present: Council Members/RDA Board Members DeRosa, England, Marchand
Mayor Pro Tem/RDA Board Member Pettis, Mayor/RDA Board Chairman
Stettler

Absent: None

During the Study Session the City Council discussed the Regular meeting scheduled for December 22 and whether we had a need to have this meeting or could it be cancelled. It was moved by Council Member Marchand to reschedule the December 22nd meeting to Monday, December 20th, motion seconded by Council Member DeRosa, motion carried 5-0. Any decision to cancel this meeting will not be made until we see what the business needs are in the next few weeks.

The Regular meeting began at 6:31 p.m. and was opened by Mayor Stettler. Mayor Pro Tem Pettis led the Invocation, followed by the Flag Salute led by Council Member Marchand.

CLOSED SESSION AGENDA:

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION pursuant to Government Code Section 54956.9, Subd. (b)
Number of Potential Cases: 2

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2. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):
Case Name: Glenn Haas, Jeff Miller, Brian Hirzel and Cathedral City Police Officers Association vs. Cathedral City; Cathedral City Police Department; Stan Henry, Chief of Police; John Holcomb, Captain; Gregory J. Savelli, Lieutenant; Sandra Hatfield, Dispatch Supervisor, et al.
Case No.: United States District Court, Central District of California Case No. EDCV 02-965
3. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):
Case Name: Scott Sharpe, Mark Fields, Rudy Salinas, Jay Horn, Karl Murashima, Owen Krings, Brian Hirzel, Albert Ruiz, Steve Williams, Paul Reindel, Glenn Haas, Nick Chapman, Gabriel Mendoza, Kelly Nava, Danny Anes, Dane Dickson, Mark Novy, Larry San Filipo, Jeremy Herrick, Ernie Vasquez, Tom Ferguson, Jon Enos, John Fox, Andy Diaz, Albert Ochoa, Dewayne Hodge vs. City of Cathedral City, a municipal corporation; Stan Henry, Chief of Police; Captain John Holcomb, Captain Kevin Conner and Lieutenant Al Reshaw in their individual capacity, and DOES 1 through 10, Inclusive
Case No.: United States District Court, Central District of California Case No. CV 04 02931 (VBKx)[Class Action] Complaint for Damages and Injunctive Relief Demand for Jury Trial
4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Charlene Sumpter**)
Property Location: Property boundaries south of I-10, all properties to the City limits, west to the Date Palm alignment east of Date Palm Drive, north of Tortuga Road alignment, west of the City limits to Rancho Mirage, south of the northern City limits and parcels west of Date Palm Drive, north of I-10, west to City limits and south of Edom Hill Road alignment and or parcels included within spear of influence.
Negotiating Parties: City of Cathedral City and Proberly International Corp.
Property Owners: City of Cathedral City
Under Negotiation: Memorandum of Understanding (MOU) for disposition of City Property
5. PUBLIC EMPLOYEE EVALUATION pursuant to Government Code Section 54957.
Title of Position: City Manager

CLOSED SESSION ANNOUNCEMENTS

Deputy City Attorney Charles Green advised there were no reportable actions out of closed session.

PUBLIC COMMENTS

Bill Cohen – Cathedral City. Mr. Cohen advised that they need 10 volunteers for the COPS program, and that he was selling T-shirts for benefit of the program. They will make terrific Christmas presents. Please call him about either program.

Deborah McGarrey – La Quinta. Ms. McGarrey represents Waste Management of the Desert and was here to tell about the fees to the trash hauling program with the opening of the new Edom Hill Transfer station. The fee of \$34.51 is broke down as follows: \$10.10 is the service, operations and transportation fee, \$23.41 is the disposal fee to one of three land fills within Riverside County, and \$1.00 is a mitigation fee that will go to Cathedral City. We deal with about 1400 tons of trash per day, six days per week, and one Sunday per month.

Sergio Espericueta – Dream Homes, Cathedral City. Mr. Espericueta was here to thank the City Council for the joint efforts to improve the community. Two children from the Dream Homes presented a flag to the Council – a symbol of their working together.

Robert Marchand – Chair of the Public Arts Commission, Cathedral City. Mr. Marchand wanted to announce the next Concert in the Council Chambers will be on Thursday evening the 16th of December. Light refreshments will start at 6:30 p.m. and the concert of Holiday music will start at 7:00 p.m.

Seeing no one else wishing to speak, Mayor Stettler asked the City Clerk to read a letter from Barbara and Maury Mortensen of Cathedral City into the Public Record. That letter in its entirety is attached at the end of these minutes.

AGENDA FINALIZATION

There were no changes to the Agenda.,

COUNCIL COMMENTS

Mayor Pro Tem Pettis – reminded everyone that on Friday December 3rd will be our annual Holiday concert in the Square with a tree lighting ceremony at 6:00 p.m., followed by music from local schools, and a performance of the Buddy Rogers Symphony at 7:00 p.m., with additional entertainment till 10:00 p.m. Everyone is invited to attend.

Mayor Stettler advised everyone that there are surveyors working in the Cove to help with

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the developing of costs for the Cove Sewer project. The city library is going to host the Teen Café on the last Wednesday of the month, that is Wednesday the 24th this month, this will be a great opportunity for our teens to *meet and greet* at the library. The library will host the 3rd annual Gingerbread House program on December 1st at 6:00 p.m., where families can go and create their own Gingerbread houses. Please support the IMAX which is doing great.

Council Member Marchand – I would like to thank Mr. Espericueta from the Dream Homes for coming tonight. Sometimes this job is – you get a lot of rocks thrown at you. Every once in a while, when you see a community coming forward – seeing you come forward with the banner that you brought tonight makes it all worthwhile – watching the Dream Homes take command of its own destiny – watching as the Dream Homes came to a nearly 90% approval vote for their sewer district and watching that process unfold, is like watching what democracy should be. I speak for myself and hopefully for my colleagues in telling you how touched I am with your making that banner and coming forward to present it to the Council. It really makes it all worthwhile, thanks a lot.

Council Member DeRosa – I had an opportunity this week-end to attend two functions, one the American Red Cross which had a suitcase event and raised \$30,000. As you all know of the good work done by the Red Cross who is supported by charitable funds, and as a Board Member of the Red Cross I ask that you consider a donation to them, even if its only \$10 or so. They will appreciate this. Also I wish to congratulate Betty Barker who was selected as the Samaritan of the year by the Desert Samaritans. This group works with the elderly – they do grocery shopping, help seniors fix up their home, they read to seniors, and many other activities. I have been very blessed to work with a number of colleagues who give of their time to the seniors and Betty Barker certainly is one of those people who give of their time and I want to congratulate her. About a week and a half ago here in these Council Chambers we fortunate to host a conference from an organization called GLSEN, a Gay Lesbian and Straight Education Network. This is a good organization that PSUSD along with members of the Gay community who are trying to bring back into being. This will help students with equal rights, to be a part of their community and school without being harassed or intimidated because of who or what they are. It was a great group of people, not only educators and students, but their parents. At the end I would like to wish you all a very happy Thanksgiving, we are blessed – take a moment to thank family, thank God for tomorrow is a new beginning. Change is good and not to be feared.

SCHOOL REPORTS

Melissa Torres was the only representative from the high school tonight. She reported on numerous activities going on at the school and advised that the students were excited about the Thanksgiving Holidays.

PRESENTATIONS AND PROCLAMATIONS

Fire Chief Sowles presented three new Firefighter/Paramedics to the City Council and the audience, these are not new positions, but replacements for Firefighters who are retiring due to injuries in this hazardous job. The chief gave a little background on the three gentlemen. The City Clerk then presented the Oath of Office to Craig S. Sanborn, Jr., Zachery Wright, and Daniel Dunn. Chief Sowles then present badges to all three.

Chief Sowles went on to honor a group of individuals, Firefighter/Paramedic who play a key role in the education of new Paramedics – a role that we call a Preceptor – they are like an extension of the college, the new paramedics work under these preceptors who evaluate, access and guide them in the field. This is a non-paid job that they do, with a tremendous responsibility, they get new students a couple of times per year. This is an opportunity for the City to honor these workers. Chief Sowles then presented proclamations to Scott Keeran, Britt Williams, Chris Duensing, Rick West, Chad Smith, and Stephen Tumir.

Police Chief then made the following presentations for Peace Officers and Public Safety Appreciations Awards and for Mothers Against Drunk Driving (MADD) Honorees to:

Michael Van Gorder - in appreciation for your receiving the 2004 Coachella Valley All Around Excellence in Law Enforcement award at the Annual Peace Officer and Public Safety Appreciation Day Awards Luncheon.

Mr. Chuck Vasquez - in appreciation for your receiving the 2004 Coachella Valley Citizen of the Year in Law Enforcement award at the Annual Peace Officer and Public Safety Appreciation Day Awards Luncheon.

Sandra Hatfield - in appreciation for your receiving the 2004 Coachella Valley Non Sworn Employee of the Year award at the Annual Peace Officer and Public Safety Appreciation Day Awards Luncheon.

Steve Williams - in appreciation for your receiving the 2004 Coachella Valley Significant Cases of Incident Worked in Law Enforcement award at the Annual Peace Officer and Public Safety Appreciation Day Awards Luncheon.

Nick Chapman - in appreciation for you being nominated for the 2004 Coachella Valley Medal of Valor in Law Enforcement award at the Annual Peace Officer and Public Safety Appreciation Day Awards Luncheon.

Jeremy Herrick - in appreciation for you being nominated for the 2004 Coachella Valley Medal of Valor in Law Enforcement award at the Annual Peace Officer and Public Safety Appreciation Day Awards Luncheon.

Larry Sanfillippo - in appreciation for you being nominated for the 2004 Coachella Valley Medal of Valor in Law Enforcement award at the Annual Peace Officer and Public Safety Appreciation Day Awards Luncheon.

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John Fox - in appreciation for your recognition by MADD (Mothers Against Drunk Driving) for your contribution of enforcement of DUI crimes.

Jeremy Herrick - in appreciation for your recognition by MADD (Mothers Against Drunk Driving) for your contribution of enforcement of DUI crimes.

CONSENT AGENDA

Council Member Marchand moved approval of the Consent Agenda, motion seconded by Council Member England, motion carried 5-0.

1. Adopted resolution of the City Council for the City of Cathedral City, amending appendix of designated positions and disclosure categories for the City's Conflict of Interest Code **by Resolution No. 2004-106.**

PUBLIC HEARING

2. Public Hearing and resolution of vacation of a public un-named stub street, approximately 100 feet long, intersecting the west side of Perez Road, south of East Palm Canyon Drive. Vacation 2004-01: Applicant: Cathedral City Properties, LLC

There was a brief report given by Deputy City Manager Julie Baumer.

Public Comments were opened and closed without comment.

Council Member DeRosa moved approval, motion seconded by Council Member Marchand, motion carried 5-0 **by Resolution No. 2004-107**

LEGISLATIVE ACTION(S)

3. Approval to award a contract with Pacific Lighting Sales, Inc., to purchase traffic signal poles, equipment and appurtenances for installation with the Date Palm/I-10 interchange interim ramp widening project.

There was a brief report by City Engineer Bill Bayne. He answered questions of Council Member England with regard to the completion date – completion expected in approximately eight months.

Council Member Marchand moved approval of the contract, not to exceed \$35,000, motion seconded by Council Member England, motion carried 5-0 **by Minute Order # 3812.**

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4. Proposed resolutions of the City Council for the City of Cathedral City, intending to initiate formation and authorize balloting for the proposed Alicante Tract Landscape and Lighting District. (LLD. No. 19)

There was a brief report by Bob Moeller of the Engineering Department. The costs will be about \$200 per year. About 50 percent of the property owners attended the meeting at Sunny Sands School after the steering committee was formed.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval of the Resolutions, motion seconded by Council Member England, motion carried 5-0, **Resolution No. 2004-108, Resolution No. 2004-109, and Resolution No. 2004-110.**

Council Member DeRosa requested that the record reflect the following: "While I'm not in favor of Assessment Districts, I voted for the Resolutions to support the right of the people to vote on their own behalf." Mayor Stettler verified that this was a Yes vote.

ADJOURNMENT

Hearing no further business to come before the Council the meeting was adjourned in memory of John Fitzgerald Kennedy of Brookline, Massachusetts to Tuesday December 7th at 5:30 p.m. for the seating of the new City Council.

Pat Hammers, City Clerk